APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,919	01/09/2002	Rajesh V. Patil	LOT920010027US1	3097

			EXAMINER
7590	07/20/2005		ALI, SYED J

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ART UNIT	PAPER NUMBER
2195	

DATE MAILED: 07/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/045,919	PATIL, RAJESH V.
	Examiner	Art Unit	
	Syed J. Ali	2195	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE **3** MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>09 January 2002</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-25</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-25</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>24 June 2002</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-25 are pending in this application.

Claim Objections

2.   **Claim 11 is objected to because of the following informalities:**

a.   In line 1 of claim 11, "System" should read: "A system".

Appropriate correction is required.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4.   **Claims 1-25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

5.   As per claim 1, the claim language raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101. The claimed "method" should be modified to indicate that it is embodied in a manner as to be executable, e.g. "a computerized method" or "a computer-implemented method". Claims 2-10 are rejected for at least the same

reasons as their parent claim, as they fail to present any limitations that resolve the deficiencies

of the claim from which they depend.

6.   . As per claim 11, the claimed system is non-statutory as it is not tangibly embodied, in

that it fails to include any hardware as part of the system.   The system could be implemented

entirely in software. Claims 12-14 are rejected for at least the same reasons as presented for their

parent claim, as they fail to present any limitations that resolve the deficiencies of the claim from

which they depend.

7.   As per claim 25, the claimed "computer program element" is non-statutory as it is not

tangibly embodied.   The "computer program element" could be implemented entirely in

software.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

9.   **Claims 1-25 are rejected under 35 U.S.C. 102(a) as being anticipated by Philippot**

("Rearrange Your Taskbar Buttons").

10.   As per claim 1, Philippot teaches the invention as claimed, including a method for run

time ordering open tasks, comprising the steps of:

        providing for each open task a task tab sequentially ordered in a status line (pg. 1,

Configuring ButtonBoogie); and

        responsive to a user drag and drop of a first task tab, reordering the sequential order of

said status line (pg. 1, Introduction; pg. 1, Getting Started).

11.   As per claim 2, Philippot teaches the invention as claimed, including the method of claim

1, further comprising the steps of:

        providing a linked list of tab elements, with a tab element associated with each said task

tab and task content (pg. 2, Commandeering the Taskbar; pg. 3, Handling Tab Control

Messages); and

        said reordering step comprising the step of adjusting back pointers and next pointers of

said tab elements to reposition said first tab element from a drag position to a drop position

within said linked list (pg. 1, Getting Started).

12.   As per claim 3, Philippot teaches the invention as claimed, including the method of claim

2, further comprising the step of:

        displaying in an application content window task content corresponding to a current

selected task tab (pg. 1, Introduction; pg. 1, Configuring ButtonBoogie; pg. 2, Commandeering

the Taskbar).

13.   As per claim 4, Philippot teaches the invention as claimed, including the method of claim

3, further comprising the step of:

responsive to user selection of a new task tab of displaying task content corresponding to

said new task tab in said new task tab in said application content window (pg. 1, Configuring

ButtonBoogie; pg. 2, Commandeering the Taskbar).

14.   As per claims 5-6, Philippot teaches the invention as claimed, including the method of

claim 4, further comprising the step of:

responsive to user selection of a first key combination, displaying task content

corresponding to a next sequential task in said application content window and responsive to user

selection of a second key combination, displaying task content corresponding to a previous

sequential task in said application content window (pg. 1, Introduction; pg. 2, Commandeering

the Taskbar, wherein ButtonBoogie is disclosed as compatible with Windows, which inherently

allows switching between open tasks using Alt+Tab and Alt+Shift+Tab).

15.   As per claims 7-10, Philippot teaches the invention as claimed, including the method of

claim 2, said task being a document, web page, database, or spreadsheet (pg. 1, Configuring

ButtonBoogie).

16.   As per claim 11, Philippot teaches the invention as claimed, including a system for run

time ordering open tasks, comprising:

a status bar (pg. 1, Configuring ButtonBoogie);

a plurality of task tabs presented in said status bar in sequential order, with a task tab for each open task within an open application (pg. 1, Configuring ButtonBoogie);

a content window for displaying task content associated with a current selected task tab (pg. 1, Introduction; pg. 1, Configuring ButtonBoogie; pg. 2, Commandeering the Taskbar);

a linked list of tab elements, with a tab element associated with each task tab and task content (pg. 2, Commandeering the Taskbar; pg. 3, Handling Tab Control Messages); and

a task tab order component responsive to user drag and drop of a given task tab for moving said given task tab from a drag position in said status bar to a drop position in said status bar (pg. 1, Introduction; pg. 1, Getting Started).

17.   As per claim 12, Philippot teaches the invention as claimed, including the system of claim 11, further comprising:

a mouse device operable by a user for selecting a current task tab (pg. 1, Introduction; pg. 1, Getting Started; pg. 3, Handling Tab Control Messages).

18.   As per claim 13, Philippot teaches the invention as claimed, including the system of claim 12, further comprising:

a first key operable by said user for incrementing said selected task tab to a next tab in said sequential order and a second key operable by said user for decrementing said selected task tab to a previous tab in said sequential order (pg. 1, Introduction; pg. 2, Commandeering the Taskbar, wherein ButtonBoogie is disclosed as compatible with Windows, which inherently allows switching between open tasks using Alt+Tab and Alt+Shift+Tab).

19.   As per claim 14, Philippot teaches the invention as claimed, including the system of claim 11, said task tab order component being operable to reorder said linked list of tab elements responsive to said user drag and drop (pg. 1, Introduction; pg. 1, Getting Started).

20.   As per claims 15-24, Philippot teaches the invention as claimed, including a program storage device readable by a machine, tangibly embodying a program of instructions executable by a machine to perform the method of claims 1-10, respectively (pg. 1, Introduction).

21.   As per claim 25, Philippot teaches the invention as claimed, including a computer program product or computer program element for performing the method of claim 1 (pg. 1, Introduction).
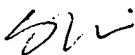
Conclusion

22.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed J. Ali whose telephone number is (571) 272-3769. The examiner can normally be reached on Mon-Fri 8-5:30, 2nd Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai T. An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Syed Ali
July 15, 2005

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